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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

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IN RE: AFTERMARKET FILTERS ANTITRUST LITIGATION

ANTITROST EITIONTION

This Document Relates to: Direct Purchaser Action

Direct Purchaser Action

Master Docket No.: 08-cv-4883

MDL Docket No.: 1957

Judge Robert W. Gettleman

Magistrate Geraldine Soat Brown

MEMORANDUM IN SUPPORT OF WAL-MART STORES, INC.'S MOTION TO APPROVE CLAIM FORMS

Counsel for Direct Purchaser Plaintiffs respectfully submit this memorandum in support of Wal-Mart Stores, Inc.'s ("Walmart") Motion to Approve Executed Claim Forms. Dkt. #1054.

The records produced by Defendants during the course of litigation indicate that Walmart purchased more than \$1.5 billion of Filters that are covered by the settlements in this case. *See* Dkt. #1053-2. For a variety of reasons described in its motion, Walmart has been unable independently to verify the precise amount of its qualifying purchases of Filters covered by the settlements. *See* Dkt. #1053 at 2. Although Walmart desires to collect its share of the settlements, it is uncomfortable with the language included in the claim forms requiring acknowledgement under penalty of perjury that the information in the claim form—including the purchase amounts—is true and correct. *Id*.

Walmart has indicated that for the purposes of administering the settlements in this case, it is willing to accept the purchase amounts reflected in Defendants' records and included on Walmart's claim forms. *See* Dkt. #1053 at 3; Dkt.# 1053-6 at 4. It has also indicated that it accepts the terms of the release of claims against Defendants. *Id.* Accordingly, Plaintiffs

respectfully request that the Court grant the relief sought by Walmart and enter an order accepting its proposed modification to the release and verification on the claim forms. *See* Dkt. #1053 at 4.

Dated: February 5, 2013

/s/ Adam J. Pessin Roberta D. Liebenberg Adam J. Pessin FINE KAPLAN & BLACK, R.P.C. One South Broad St., 23rd Floor Philadelphia, PA 19107 Telephone: (215) 567-6565

Co-Lead Counsel for Direct Purchaser Plaintiffs

Respectfully submitted,

/s/ Michael J. Freed Michael J. Freed Steven Kanner FREED KANNER LONDON & MILLEN LLC 2201 Waukegan Rd., Suite 130 Bannockburn, IL 60015 Telephone: (224) 632-4500

Co-Lead Counsel for Direct Purchaser Plaintiffs

/s/ Gregory Asciolla Gregory Asciolla LABATON SUCHAROW LLP 140 Broadway New York, NY 10005 Telephone: (212) 907-0700

Co-Lead Counsel for Direct Purchaser Plaintiffs